



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee Cannes, France, 25 to 29 September 2022

“Accessibility of trademark priority documents and removal of legalisation requirements”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee at the World Congress held in Cannes, France, 25 to 29 September 2022, passed the following resolution:

NOTING that priority claims under the Paris Convention for trade mark applications are a key feature of the trademark filing system,

FURTHER NOTING discrepancies between the practices of national and regional Trade Mark Offices, as some Offices require the priority documents in paper format whereas other Offices accept electronic documents, and some Offices even require legalised (notarised, apostilled and national legalised) documents, often accompanied by official translations into the local language,

OBSERVING that the requirement to provide legalised and/or translated documents is burdensome for applicants, as obtaining these is time-consuming and costly,

FURTHER OBSERVING that some Trade Mark Offices do not make priority documents available or accessible to third parties who may need them for prosecution or litigation purposes,

ACKNOWLEDGING that the availability and accessibility of priority documents to third parties having a legitimate interest for prosecution or litigation purposes is in the interest of the users of the trade mark systems,

URGES Trade Mark Offices to make priority documents easily available to applicants from the issuing Offices,



“Accessibility of trademark priority documents and removal of legalisation requirements”

FURTHER URGES Trade Mark Offices to make and keep available priority documents received to any interested party, for example by keeping copies thereof in the publicly accessible online and/or hard copy files,

FURTHER URGES the removal of any requirements for the legalisation and translation of priority documents,

FURTHER URGES Trade Mark Offices to accept electronic versions of priority documents, and preferably to engage in the direct electronic exchange of priority documents between the Offices, for example using WIPO DAS.